

**UNITED STATES DISTRICT COURT
FOR THE Northern District of Illinois – CM/ECF NextGen 1.8 (rev. 1.8.3)
Eastern Division**

Michael Mitchell

Plaintiff,

v.

Case No.: 1:25–cv–02545

Honorable Matthew F. Kennelly

Ryan Degroot, et al.

Defendant.

NOTIFICATION OF DOCKET ENTRY

This docket entry was made by the Clerk on Thursday, April 10, 2025:

MINUTE entry before the Honorable Matthew F. Kennelly: The plaintiff's motion for leave to proceed in forma pauperis [4] is granted because the motion establishes that the plaintiff cannot prepay the filing fee. The Court has reviewed the plaintiff's complaint under 28 USC 1915(e)(2) to determine if it is frivolous or fails to state a claim upon which relief may be granted. The plaintiff alleges that there are two criminal cases pending against him in state court. It appears that the plaintiff is representing himself in the two cases. The plaintiff alleges that the defendants (all of whom are prosecutors) have improperly denied him discovery to which he is entitled. Plaintiff's complaint cannot proceed for several reasons. First: under *Younger v. Harris* 401 U.S. 37 at 40–41 (1971) a federal court must abstain from a lawsuit that would require intervention in or interference with a pending state court criminal prosecution. Second: the defendant prosecutors are immune from liability for damages for their actions as prosecutors; this is the sort of actions that the plaintiff alleges in this case. See e.g. *Imbler v. Pachtman* 424 U.S. 409 at 427 (1976). Although the latter ground (prosecutorial immunity) is a merits–based ground for dismissal the former ground is not. The Court therefore concludes that the proper resolution is a dismissal of plaintiff's case without prejudice. The Court directs the Clerk to enter judgment stating; This case is dismissed without prejudice under *Younger v. Harris*. Civil case terminated. Mailed notice. (mma,)

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